

REMARKS

The Applicants respectfully request reconsideration of the objections and rejections set forth in the Office Action dated June 15, 2004, and the Office Action dated April 15, 2005.

The Rejection under 35 U.S.C. §102(b) and §103(a):

The Examiner has rejected claims 15, 16 and 18-20 under 35 U.S.C. §102(b) as being anticipated by Kelly, as well as rejected claims 1-3 and 5 under 35 U.S.C. §102(b) as being anticipated by Sarbin. Further, claims 1-5, 10-16 and 18-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Acres in view of Raven or Kelly. In view of the forgoing remarks, the Applicants respectfully disagree.

Briefly, in response to the Applicant's argument, the Examiner opines that the difference between retrieving a receipt at the gaming machine (together with redeeming the award/comp/bonus at a remote location), and retrieving the receipt of comp at a remote location is miniscule. The Applicants respectfully disagree in that in the former situation, the receipt can be immediately retrieved, and then ultimately redeemed at the patron leisure. The Patron will not be required to search around for any remote location, in that the printing of the receipt is directly at the gaming machine itself. Some awarded comps, etc., may be of little interest to the Patron, and thus, they may decide not to redeem the award.

In the latter situation, the Patron is forced to search for the remote location for receipt retrieval, regardless of whether they are interested in the comp, bonus award, etc. Moreover, remote retrieval, especially of award and bonus award receipts, increases the possibility of any ticket theft.

Regarding Kelly, this reference associates prizes directly with game play at the gaming machine, associating a selection of prizes to be won with the specific gaming machine itself which in turn is printed out by the gaming machine as a prize ticket. Kelly

primarily disclosed a method to provide the player of the gaming machine with a list of possible prizes that could be won associated by the gaming machine. For instance, as mentioned in Kelly at col. 4, lines 34-38, "The players may immediately get a specific prize ticket that is redeemable for their selected prize or specific prize, thus avoiding the time and money of accumulating large numbers of dispensed tickets to purchase prizes." Clearly Kelly was associating such prizes with game play on the particular gaming machine. Furthermore, at col. 3, lines 15-22, Kelly on to describe the process of receiving the prize, "A prize selection menu is then displayed for the player, the menu including one or more selectable prizes. The prize selection menu may include a prize cost in terms of prize credits for each of the displayed prizes and which can be determined by the redemption system." Where the ability to dispense prizes was not possible Kelly discloses the use of a "prize ticket". Hence, Kelly discloses a game on a game apparatus for a player to play in exchange for monetary input, and prize credits are credited to the player based on the game outcome. A prize selection menu is then displayed by the game apparatus, the menu including one or more prizes, where the player may select a prize that has a prize cost within the player's prize credit amount. The player is dispensed a specific prize ticket that is redeemable for the selected prize.

However, unlike the present invention such prize tickets, are generated by the gaming machine as a function of the game within the prize redemption system disclosed by Kelly ('918). The present invention is not limited to associate the outcome of a particular game with the generation of a "prize ticket" associated with the same gaming machine. Rather the present invention provides "a method to issue a receipt redeemable for an award to a player of a gaming machine associated with a gaming system including one or more gaming machines."

Regarding Sarbin, the Examiner asserts that "Sarbin's writing data electronically to a card is obvious equivalent receipt to claimed generating/printing receipt at least due to the

same functional purpose of presenting entitlement to bonus award or representing bonus level or similar on tangible medium for redemption based upon play activity that is independent of direct outcome of game” (Page 5, lines 5-9 of the June 15, 2004 Office Action). The Applicant respectfully disagrees.

First, Sarbin clearly defines a portable data unit to be “typically referred to as a ‘smart card’” (Col. 2, lines 51-52). Sarbin goes on further to state that “These devices are generally in the shape and size of a standard credit card and contain solid-state memory, as well as circuitry to enable the memory to be written to, read from, and otherwise manipulated.” (Id. at lines 52-56). The Applicant respectfully submits that such portable data units of the cited references are active devices which interact with the gaming machine as an extension of the gaming machine requiring processing, data storage and communication with the gaming machine. Applicant further asserts that printed receipts are simply passive output from the gaming machines representative of processing that has occurred within the gaming machine and central system and thus results in printed indicia on said receipts.

Further, the functionality presented by Sarbin includes additional processing required by the portable data unit at an attendant station whereas the Applicant’s passive tangible medium in the form of printed receipts are simply provided to an attendant for processing by central computer system and may be redeemed even if central computer system is not operational. Sarbin’s portable data units, as well as the cards presented in Acres, must have a computer system operational for redemption and will not function with the central computer system unavailable.

Accordingly, the Applicant strongly asserts that the passive printed paper receipts of the present invention are fundamentally different from the active portable data units both in functional means as well as operational means. Applicant’s use of printed receipts is novel as it presents a bonus comp or award to a player who can then directly read the player

readable indicia (e.g., writing) printed on the passive printed receipt and determine what has been awarded without requiring processing of any kind.

Applicant further asserts that this passive form of interaction with a player of a gaming machine was not contemplated by Acres, Sarbin or Raven, and that each respective invention both alone and combined still requires a functional central system to be operational before redemption can occur. Applicant believes his invention to be novel whereby the receipt generated is a passive form of communication with a player and as a passive form of rewarding a player. This assertion is not obvious to Applicant in that the indicia presented on the passive receipt of the present invention can be interpreted directly by the receiver of said receipt, whereas the portable data units and bar coded cards of the cited references can not be directly interpreted by the receiver with respect to the awarded bonus, comp or award.

In view of the foregoing, the Applicants respectfully request reconsideration. Withdrawal of the §§102 and 103 rejections are respectfully requested.

Conclusion

In light of the above amendments and remarks, the Applicants respectfully request that the Examiner reconsider this application with a view towards allowance. It is believed that all claims now pending fully and patently define the subject invention over the cited art of record and are in condition for allowance.

If the Examiner has any questions concerning this case, the Examiner is respectfully requested to contact Michael L. Louie at (510) 843-6200.

The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of

the undersigned, No. 50-0388 (Order No. IGT1P123).

Respectfully submitted,
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